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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/591,424

06/11/2007

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EXAMINER

SAINT CYR, JEAN D

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/591,424	Applicant(s) MIYABAYASHI ET AL.	
	Examiner JEAN D. SAINT CYR	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 June 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claims 1-20, filed 06/11/2007, are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4-6, 8-12, 14-16, 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Matz et al, US Patent No. 20040255321.

Re claim 1, Matz et al disclose a view control system, characterized in including: a log recording means for recording a log of a viewer (see fig.3, user profile; the user profile may be created based on a viewing history, 0013);

a sending-out means (see fig.3, element 312), for sending out a view-controller for controlling viewing of contents based upon said log of said viewer (The receive module 312 sends the tagged data to an analysis module 314, which analyzes the received tagged data, 0047); and

a view controlling means for controlling viewing of the contents based upon said view- controller and said recorded log (see fig.3, analysis module; the analysis module 314 determines which, if any, of the tagged data is to be blocked from presentation to the user, 0047).

Re claim 2, Matz et al disclose characterized in that the view-controller has controlling conditions and controlling details described, said controlling conditions and controlling details being applied until a start time point of viewing the contents (Upon receipt of data stream 110 and its associated tag 112, the desktop computer client 104 evaluates the tag 112 and the user profile 118 to determine if the data stream 110 is to be blocked. In one embodiment, if the tag 112 is listed in the user profile 118, the associated data stream 110 is blocked from presentation to the user of the desktop computer client device 104, 0034; that means control is executed at the starting point of the content).

Re claim 4, Matz et al disclose characterized in that the view-controller has controlling conditions and controlling details described, said controlling conditions and controlling details being applied while a program of the contents is viewed (if "nudity", is identified in the user profile 322 as a subcategory of content that is unwanted, any portions of a movie having nudity will be selectively blocked by the blocking module 404, 0061).

Re claim 5, Matz et al disclose characterized in that: the view-controller is a controller for permitting or restraining the viewing of the contents in a case where a predetermined condition was satisfied at least one time before viewing the contents (if the tag 112 is listed in the user profile 118, the associated data stream 110 is blocked from presentation to the user of the desktop computer client device 104, 0034; that means control is executed at the starting point of the content); and

the view controlling means is configured to detect the log satisfying said predetermined condition from among the recorded logs based upon said view-controller and to permit the viewing of the contents in a case where a predetermined log has been detected (see fig.12, present desired content).

Re claim 6, Matz et al disclose characterized in that: the view-controller is a controller for permitting or restraining the viewing of the contents in a case where a predetermined condition is satisfied whenever the contents are viewed; and the view controlling means is configured to detect the log satisfying said predetermined condition from among the recorded logs based upon said view-controller and to permit or restrain the viewing of the contents in a case where a predetermined log has been detected (Upon receipt of data stream 110 and its associated tag 112, the desktop computer client 104 evaluates the tag 112 and the user profile 118 to determine if the data stream 110 is to be blocked. In one embodiment, if the tag 112 is listed in the user profile 118, the associated data stream 110 is blocked from presentation to the user of the desktop computer client device 104, 0034).

Re claim 8, Matz et al disclose characterized in that: the view-controller is a controller for giving permission of, or restraint to a predetermined matter while the contents are viewed; and the view controlling means is configured to give permission of, or restraint to a predetermined matter based upon said view-controller while the contents are viewed (if "nudity", is identified in the user profile 322 as a subcategory of content that is unwanted, any portions of a movie having nudity will be selectively blocked by the blocking module 404, 0061; that means that portion of nudity will be blocked during the viewing period).

Re claim 9, Matz et al disclose characterized in that: the view-controller is a controller for replacing a condition at the time of an initial setting with the other condition; and the view controlling means is configured to detect the log satisfying the other condition, which replaces the condition at the time of an initial setting, based upon said view-controller and to permit the viewing of the contents in a case where its log has been detected (substitute for the blocked content based on preference data,0011).

Re claim 10, is met as previously discussed with respect to claim 1.

Re claim 11, Matz et al disclose, characterized in including the steps of:
recording a log of a viewer in a receiver side (see fig.3, user profile);

sending out a view-controller(see fig.3, element 312) for controlling viewing of contents to a receiver based upon said log of said viewer (The receive module 312 sends the tagged data to an analysis module 314, which analyzes the received tagged data, 0047); and

controlling the viewing of the contents based upon said view-controller and said recorded log in the receiver side (see fig.3, analysis module; the analysis module 314 determines which, if any, of the tagged data is to be blocked from presentation to the user, 0047).

Re claim 12, is met as previously discussed with respect to claim 2.

Re claim 14, is met as previously discussed with respect to claim 4.

Re claim 15, is met as previously discussed with respect to claim 5.

Re claim 16, is met as previously discussed with respect to claim 6.

Re claim 18, is met as previously discussed with respect to claim 8.

Re claim 19, is met as previously discussed with respect to claim 9.

Re claim 20, is met as previously discussed with respect to claim 10.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 7,13,17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matz et al US No. 20040255321 in view of official notice.

Re claim 3, Matz et al did not explicitly disclose characterized in that the view-controller has viewing conditions described, said viewing conditions being applied after viewing the contents.

However, it was notoriously well known in the art by any person of ordinary skill at that time the invention was made that any system can provide viewing condition being applied after viewing the contents with respect to viewing history of the users, rating of the content and parental control.

Re claim 7, is met as previously discussed with respect to claim 3.

Re claim 13, is met as previously discussed with respect to claim 3.

Re claim 17, is met as previously discussed with respect to claim 3.

Conclusion

Art Unit: 2623

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST. If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reached on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jean Duclos Saintcyr

/Brian T. Pendleton/

Supervisory Patent Examiner, Art Unit 2425